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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/537,650

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Guillaume Blacher

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EXAMINER

NIQUETTE, ROBERT R

ART UNIT

PAPER NUMBER

3691

MAIL DATE

DELIVERY MODE

08/19/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/537,650	Applicant(s) BLACHER, GUILLAUME	
	Examiner Robert R. Niquette	Art Unit 3691	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 June 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>None</u> . | 6) <input type="checkbox"/> Other: _____ |

Status of Claims

Claims 1-8 are currently pending and have been examined.

Acknowledgment is made of applicant's claim for a domestic priority date of 12-5-2003. The certified copy has been filed in parent Application No. 10537650.

15 Examiner's note: The examiner has pointed out particular references contained in the
prior art of record within the body of this action for the convenience of the Applicant. Al-
though the specified citations are representative of the teachings in the art and are applied
to the specific limitations within the individual claim, other passages and figures may apply.
Applicant, in preparing the response should consider fully the entire reference as potentially
20 teaching all or part of the claimed invention, as well as the rest of the passage as taught by
the prior art or disclosed by the Examiner.

25 The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description: Figure 2, Item 18 and Figure 7. Corrected drawing sheets in compliance with 37 CFR

1.121(d), or amendment to the specification to add the reference character(s) in the description in compliance with 37 CFR 1.121(b) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if
5 only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

10

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

15

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

20

Claim 1-8 are rejected under U.S.C. Title 35, § 102(b) as being anticipated by US20020019795, *Madoff* et al.

As per claim 1, *Madoff* teaches:

25

(a1) contextual data of the product, consisting of at least one valuation currency

and at least one underlying instrument (At least paragraph(s) 14-16),

(a2) characteristic data of the product, consisting of a set of events and flows associated with the product (At least paragraph(s) 14-16);

(b) the data processing means consist of means for generating a planned schedule
5 (T1) from the identification and description data, in which an event and/or flow relating to the product is associated with each date (At least paragraph(s) 55);

(c) the data processing means also include means for interpreting the schedule, in order to generate:

(c1) a table of variables (T3) for the product on the basis of the events and/or
10 flows,(c2) for each date of the planned schedule, a function for calculating the product price as a function of at least one of the product variables (At least paragraph(s) 55);

(d) the interface means consist of means for inputting a list of market variables (T4) associated with the product and generated by a market analysis (At least paragraph(s) 28);

15 And (e) the calculation means consist of means for calculating, for each of the market scenarios/states and for each of the dates, the product variable values according to the market variables, and means for calculating the product price as a function of the calculated product variable values (At least paragraph(s) 36 and 47).

20 With respect to claim 2, *Madoff* recites:

the data processing means consist of means for generating a compact script containing all the data needed for product pricing (At least paragraph(s) 43).

As per claim 3, *Madoff* discusses:

the means for inputting data identifying and describing the product consist of means for inputting these data in compact script form (At least paragraph(s) 42, 54).

5

As to claim 4, *Madoff* teaches:

the means for inputting data identifying and describing the product consist of acquisition windows, into which the contextual data and characteristic data can be entered separately (At least paragraph(s) 5, 15, 16 and abstract).

10

With respect to claim 5, *Madoff* recites:

the data processing means also include means for checking the interpretation of the schedule (At least paragraph(s) 3, 4).

15

As per claim 6, *Madoff* discusses:

the calculation means consist of:(e1) means for calculating, for each of the market scenarios/states and for each of the dates, the value of each of the market variables,(e2) means for calculating, for each of the market scenarios/states and for each of the dates, the product variable values as a function of the market variable values,(e3) means for calculating the price as a function of the product variable values in all the market scenarios/states (At least paragraph(s) 6, 36 and 47).

20

As to claim 7, *Madoff* teaches:

the data storage means consist of means for storing the market variable values in the form of tables (Tvvm) (at least paragraph 18).

5 With respect to claim 8, *Madoff* discusses:

the data storage means consist of means for storing, in the form of tables, the schedule (T1), the calculation functions (T2), the product variables (T3), the market variables (T4), and the product variable values (Tvp) (At least paragraph(s) 18).

10 ***Conclusion***

The following prior art made of record and not relied upon is considered pertinent to patentee's disclosure:

15 US645692, *Pilipovic*
US20020198819, *Munoz et al.*
US20030033261, *Knegendorf*
US20030229563, *Moore et al.*

20 Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert R. Niquette whose telephone number is 571-270-

Art Unit: 3691

3613. The examiner can normally be reached on Monday through Thursday, 5:30 AM to 4:00 PM EDT.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alex Kalinowski can be reached on 571-272-6771. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Robert R. Niquette/
Examiner, AU 3691
8-7-2008

/Alexander Kalinowski/

Supervisory Patent Examiner, Art Unit 3691